

From: Patrick Clifton
Sent: 18 Jul 2017 08:45:37 +1000
To: Brian Millard; Carl Ewin
Cc: Mangoes Ontario; Greg Gilboy; Gregory Terzi
Subject: Email 1 of 3 - Proposed Rural Industry (Packing Shed) and Rural Workers Dimbulah - Lot 107 RP749635
Attachments: 20170717 - Owners Consent.pdf, 20170713 - DAForm1-Developmentapplicationdetails.pdf, 20170712 - MSC Cover Letter.pdf, 20170710 - Planning Report.pdf, Ontario Title Search[1].pdf, Copy Registered plan.tif, Copy Easement Plan Ontario.pdf

Dear Brian and Carl,

It is with great pleasure that Gilvear Planning, on behalf of Ontario Mangoes, submit the attached application for the Material Change of Use of premises located at Inverzdi Road/Leavingham Creek Road and described as Lot 107 on RP749635.

Accordingly, in the following emails please find attached:

- Covering Letter (this email)
- Application Forms (this email)
- Owners Consent (this email)
- A Copy of the Certificate of Title (this email)
- Planning Supporting Statement (this email)
- Proposal Plans
- Plans of Proposed Hydraulic Services

I trust that this is accepted as a properly made application and I look forward to receipt of the Acknowledgement Notice. Should you require any further information or have any queries; please do not hesitate to contact me.

Kind regards

Patrick Clifton CONSULTANT PLANNER

0459 368 492
PO Box 228 Babinda QLD 4861



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**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, DAVID Malcolm Courtice

[Insert name in full.]

Director of the company mentioned below.

and I, Pamela Sheryl Courtice Secretary

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of D & P COURTICE INVESTMENTS PTY LTD A.C.N. 079 235 813

the company being the owner of the premises identified as follows:

105 Inveradi Road, Dimbulah and described as Lot 107 on RP749635

consent to the making of a development application under the *Planning Act 2016* by:

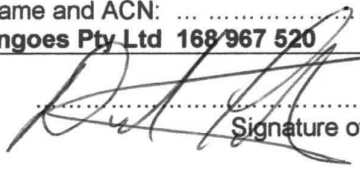
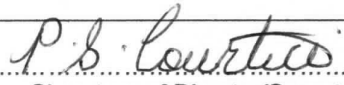
Ontario Mangoes Pty Ltd.

on the premises described above for:

The Material Change of Use of premises for the purpose of a Rural Industry (Packing Shed) and Rural Workers Accommodation.

Company seal [if used]

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN: Ontario Mangoes Pty Ltd 168 967 520	
 Signature of Director	 Signature of Director/Secretary
... 14/07/2017 Date 14/07/2017 Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]

DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Ontario Mangoes Pty Ltd
Contact name (only applicable for companies)	c/- Gilvear Planning Pty Ltd
Postal address (P.O. Box or street address)	PO Box 228
Suburb	Babinda
State	QLD
Postcode	4861
Country	Australia
Contact number	0459 368 492
Email address (non-mandatory)	patrick@gilvearplanning.com.au
Mobile number (non-mandatory)	0459 368 492
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	J000554

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="checked" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input type="checkbox"/> No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		105	Inveradi Road	Dimbulah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	107	RP749635	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application

☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.

☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

b) What is the approval type? *(tick only one box)*

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Rural Industry (Packing Shed) and Rural Workers Accommodation for up to 64 persons.

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.

☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

☐ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

b) What is the approval type? *(tick only one box)*

☐ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☐ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.

☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

☒ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☐ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Rural Industry (Packing Shed)	Rural Industry		5,350
Rural Workers Accommodation for up to 64 persons	Rural Workers Accommodation	64	

8.2) Does the proposed use involve the use of existing buildings on the premises?

<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

--

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement?
(attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> | | |

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)
☐ Yes – specify number of new lots:

☐ No
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS**15) Identify the assessment manager(s) who will be assessing this development application**

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS**17) Do any aspects of the proposed development require referral for any referral requirements?**

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)

<input checked="" type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane's port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government:
<input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
Matters requiring referral to the chief executive of the distribution entity or transmission entity: <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> The chief executive of the holder of the licence, if not an individual The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994: <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the chief executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).

PART 6 – INFORMATION REQUEST**19) Information request under Part 3 of the DA Rules**

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS**20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application
- ☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- ☐ Not applicable

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
- ☒ No

23) Further legislative requirements**Environmentally relevant activities**

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

☐ Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

Note: Application for an environmental authority can be found by searching “EM941” at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:

Proposed ERA threshold:

Proposed ERA name:

☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☐ No

Note: See www.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: See www.qld.gov.au for further information.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes

☒ No

Note: See guidance materials at www.ehp.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

Note: DA templates are available from www.dilgp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to

commencing development

☒ No*Note: Contact the Department of Natural Resources and Mines at www.dnrm.qld.gov.au for further information.***Marine activities****23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*☒ No*Note: See guidance materials at www.daf.qld.gov.au for further information.***Quarry materials from a watercourse or lake****23.9) Does this development application involve the removal of quarry materials from a watercourse or lake under the *Water Act 2000*?**☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development☒ No*Note: Contact the Department of Natural Resources and Mines at www.dnrm.qld.gov.au for further information.***Quarry materials from land under tidal waters****23.10) Does this development application involve the removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995*?**☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development☒ No*Note: Contact the Department of Environment and Heritage Protection at www.ehp.qld.gov.au for further information.***Referable dams****23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?**☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application☒ No*Note: See guidance materials at www.dews.qld.gov.au for further information.***Tidal work or development within a coastal management district****23.12) Does this development application involve tidal work or development in a coastal management district?**☐ Yes – the following is included with this development application:☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)☐ A certificate of title☒ No*Note: See guidance materials at www.ehp.qld.gov.au for further information.***Queensland and local heritage places****23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?**☐ Yes – details of the heritage place are provided in the table below☒ No*Note: See guidance materials at www.ehp.qld.gov.au for information requirements regarding development of Queensland heritage places.*

Name of the heritage place:

Place ID:

Brothels**23.14) Does this development application involve a material change of use for a brothel?**☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*☒ No

Decision under section 62 of the *Transport Infrastructure Act 1994***23.15) Does this development application involve new or changed access to a state-controlled road?**

☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

PART 8 – CHECKLIST AND APPLICANT DECLARATION**24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see *DA Forms Guide: Planning Report Template*.

☒ Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see *DA Forms Guide: Relevant plans*.

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

OUR REF: J000554:MSC:PC

DATE: 17 July 2017

Chief Executive Office
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Attn: Brian Millard

Dear Brian,

**DEVELOPMENT APPLICATION – RURAL INDUSTRY (PACKING SHED) AND RUAL WORKER ACCOMMODATION– LOT 107
RP749635, LEADINGHAM CREEK ROAD/INVERADI ROAD, DIMBULAH.**

Gilvear Planning have been instructed by Ontario Mangoes Pty Ltd to submit an application for a Development Permit for the Material Change of Use of the abovementioned premises for the purpose of a Rural Industry (Packing Shed) and Rural Workers Accommodation. The application is Code Assessable only and will require referral in respect of an Environmentally Relevant Activity.

Please find enclosed:

- Application forms;
- Copy of the Registered Title;
- Planning Supporting Statement;
- Proposal Plans;

The application fee is calculated as being \$3,000. It is preferable to make this payment by direct debit and if you could email an invoice to Gilvear Planning (Patrick@gilvearplanning.com.au) it would be much appreciated.

I trust that Council accept this as a properly made application; should you have any queries please do not hesitate to contact the undersigned on 0459 368 492

Kind regards,

Patrick Clifton
CONSULTANT PLANNER



gilvear planning

GENUINE | VERSATILE | DEDICATED

Planning Report

Material Change of Use (Code Assessment) –
Rural Industry (Packing Shed) and Rural Workers
Accommodation, Lot 107 RP749635, Leadingham
Creek Road/Inveradi Road, Dimbulah.

Prepared for

Ontario Mangoes Pty Ltd

Our Reference	J000554
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Site	Lot 107 RP749635, Leasingham Creek Road/Inveradi Road, Dimbulah.
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Date	10/07/2017
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Important Note

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of Gilvear Planning Pty Ltd ('Gilvear Planning').

This Report has been prepared for Century Built Homes for the sole purpose of making a Development Application seeking a Development Permit for Material Change of Use on land at Inveradi Road/Leedingham Creek Road (Lot 107 RP749635). This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilized for any other purpose, use, matter or application.

Gilvear Planning has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;
- b) That information obtained as a result of a search of a government register or database is complete and accurate.

Gilvear Planning is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, Gilvear Planning does not accept any responsibility in relation to any financial or business decisions made by parties other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and / or content of this Report without consent of Gilvear Planning, Gilvear Planning disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified Gilvear Planning from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

Signed on behalf of
Gilvear Planning Pty Ltd



Sera Rohan
DIRECTOR
12 July 2017



Kristy Gilvear
DIRECTOR
12 July 2017

We are an accredited consultant for:
BRISBANE CITY COUNCIL
RiskSMART™
DEVELOPMENT ASSESSMENT

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CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 26290895

Search Date: 27/06/2017 18:22

Title Reference: 21430136

Date Created: 30/01/1990

Previous Title: 20833048

REGISTERED OWNER

Dealing No: 716126447 07/11/2014

D & P COURTICE INVESTMENTS PTY LTD A.C.N. 079 235 813

TRUSTEE

UNDER INSTRUMENT 716126447

ESTATE AND LAND

Estate in Fee Simple

LOT 107 REGISTERED PLAN 749635

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20313217 (POR 107)
2. EASEMENT No 601275332 (T662717E) 11/03/1993
BURDENING THE LAND
TO LOT 109 ON SP171866 OVER
EASEMENT A ON RP852270
3. NOTING No 713610395 07/12/2010 at 10:25
EASEMENT: 601275332 (T662717E)
THE BENEFITING TENEMENT OF THE EASEMENT IS RECORDED UNDER
EASEMENT 602806456 (L452536G) OVER TITLE
REFERENCE 50591781
4. COVENANT No 708419436 08/02/2005 at 11:23
restricts dealings over
LOT 1 ON RL2898 AND
LOT 107 ON RP749635
5. EASEMENT No 709404761 02/03/2006 at 10:29
benefiting the land over
EASEMENT A ON RP738856
6. EASEMENT No 709404764 02/03/2006 at 10:30
benefiting the land over
EASEMENT A ON SP179204
7. MORTGAGE No 716126457 07/11/2014 at 11:05
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 26290895

Search Date: 27/06/2017 18:22

Title Reference: 21430136

Date Created: 30/01/1990

EASEMENTS, ENCUMBRANCES AND INTERESTS

8. LEASE No 717613379 31/10/2016 at 11:58
ONTARIO MANGOES PTY LTD A.B.N. 19 168 967 520
OF THE WHOLE OF THE LAND
TERM: 01/09/2016 TO 31/08/2026 OPTION 10 YEARS

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2017]
Requested By: D-ENQ CITEC CONFIRM

WARNING

FOLDING OR MUTILATING WILL LEAD TO REJECTION

PLAN MAY BE ROLLED

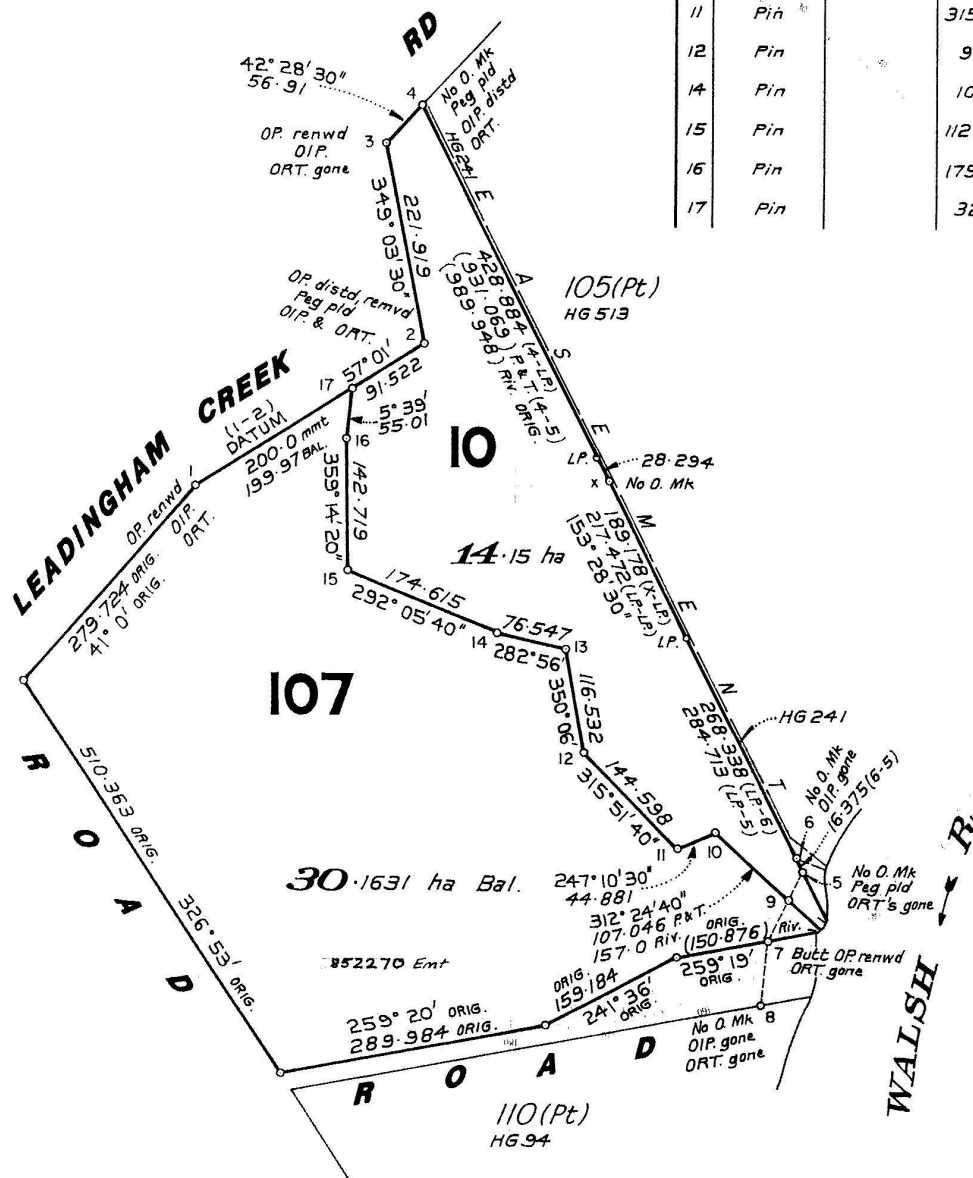
116.1231 Requested by
phone

TRAVERSES, ETC.

REFERENCE MARKS


STN	TO	REMARKS	BEARING	DIST.
1	OIP. ORT.	HG 94 "	319° 0' 135° 08'	1.016 9.797
2	OIP. ORT. bench indistinct.	HG 94 "	293° 03' 147° 55'	1.213 6.196
3	OIP. ORT. gone	HG 94 "	285° 46' 30" 274° 10' 30"	1.127 20.7
4	OIP. dist'd ORT.	HG 241 HG 94	331° 54' 195° 20' 30"	1.065 22.893

5	Pin ORT. gone " "	HG 94 "	359° 52' 135° 45' 30" 244° 32' 30"	0.958 11.487 12.995
6	O/R gone	HG 241	111° 01' 30"	1.006
7	Pin ORT. gone	HG 94	9° 0' 18° 00' 30"	0.936 10.803
8	O/R gone ORT. gone	HG 94 "	349° 18' 30" 203° 08' 30"	1.006 7.725
9	Pin		66° 05'	4.835
11	Pin		315° 51' 40"	1.036
12	Pin		90° 27'	1.093
14	Pin		102° 56'	1.172
15	Pin		112° 05' 40"	1.083
16	Pin		179° 14' 20"	0.925
17	Pin		327° 01'	1.0



Original information compiled from Plan
HG 94 in the Department of
Geographic Information

**For Additional Plans &
Document Holdings
Refer to CISP**

Part FIELD NOTES LONGER 749635		PLAN OF <u>Lots 10 & 107</u>		ORIG. PORTION <u>107</u>	
ORIGINAL GRANT N 13 3 6 3		Cancelling Lot 107 on HG94		TOWN PARISH <u>LEADINGHAM</u> COUNTY <u>Hodgkinson</u>	
MAP REF. F.M.	PROCLAIMED SURVEY AREA	SURVEYED BY C.R. HUNTER 27.9.1989	MERIDIAN of HG94	 SCALE 1:5000	REGISTERED PLAN 749635

CROWN COPYRIGHT RESERVED, REGISTRAR OF TITLES, QUEENSLAND

FOR TITLES OFFICE USE ONLY

Previous Title
C.T. Vol N 833 Folio 48 Lot 107 HG 94
Lot 107 (part) See Plac. 852270 (ent)

Signature of Licensed Surveyor

Dated this Thirtieth day of November 1989.

Chairman

xTowm or

Signature of
Proprietor / s

SECRETARY TO
THE COMMISSIONER OF WATER RESOURCES

[illegible]

Lodged by

CNS 922405, 1.162

Postal fee and Postage

122: ~~6~~ Lodgt. Exam. & Ass.

..... *Entd. on Docs.*

6.2 *New Title*

14.90 Entd. on Deeds

.....12.00 Photo Fee

21,000 Total

Short Fees Paid

F/NOTES Filed 22/1/90

Jou

Rece

Calc. Bk. No. 164 - C.H.S.
Examined 24/1/90 C.H.S.
Passed 24/1/90 C.H.S.
Charted 31/1/90 M.F.S.
Map Ref. F.M.

Particulars entered in
Register Book

Vol. ^N833..... Folio 48

24 JAN 1968 at 1:25 P.M.

REGISTRAR OF TITLES

PLAN 749635

PERMANENT MARKS

PM	BEARING	DIST	NUMBER
6-OPM	221° 0' N&C.	29.348 N&C.	QGS BM549

REFERENCE MARKS

STN	TO	BEARING	DIST	REMARK
1	OIP	169° 20'	1.006	HG 94
1	ORT gone	16° 18'	15.651	HG 94
2	OIP gone	203° 06'	1.211	HG 94
2	Pin	41° 57'	1.754	
2	ORT gone	299° 52'	8.369	HG 94
3	OIP gone	293° 06' 20"	1.811	HG 94
3	ORT gone	202° 25' 20"	5.492	HG 94
4	Pin	350° 43'	0.958	
4	OIP gone	273° 56' 20"	1.261	HG 94
4	ORT gone	104° 00' 20"	7.343	HG 94
6	OIP	175° 57' 20"	1.422	HG 94
7	Pin	280° 15' 30"	0.911	
7	ORT gone	27° 39' 30"	9.475	HG 94
8	OIP	9° 0'	0.936	RP749635
9 ^a	Pin	239° 21'	1.0	
10 ^a	Pin	82° 31' 20"	1.0	

852270

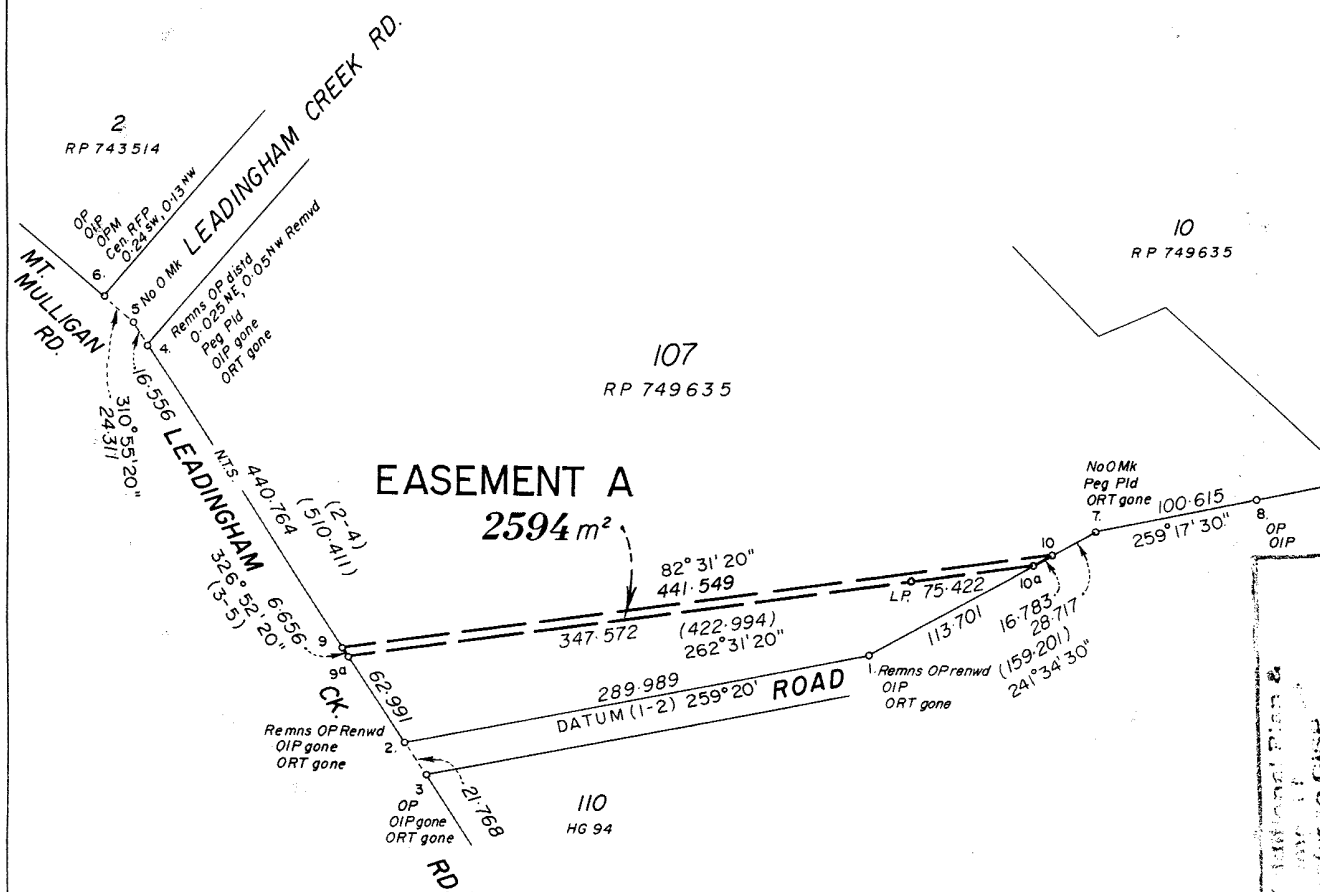
PLAN MUST BE DRAWN WITHIN BLACK LINES

852270

852270

PLAN MUST BE DRAWN WITHIN BLACK LINES

852270



Peg placed at stations
1, 2, 4, 7, 9, 9^a, 10 & 10^a

C & B Consultants Pty. Ltd.
hereby certify that the Company have surveyed the
land comprised in this plan personally or by
Robin Douglas (Director) (Licensed Surveyor) &
David Ross (Surveying Associate)
for whom the Company accept responsibility,
that the plan is accurate, that the said survey was
performed in accordance with the Surveyors Act and
the Surveyors Regulation and that the said survey
was completed on 10-11-1992.
Robert J. Matter
Director
Date 17-11-92

PLAN OF Proposed EASEMENT A in Lot 107
on RP749635, Covering Part of Lot 107
on RP749635.

PARISH LEADINGHAM
COUNTY Hodgkinson
TOWN/LOCALITY
LOCAL AUTHORITY Mareeba S.C.
LAND AGENTS/MINING DISTRICT Cairns
MINING FIELD

ORIGINAL PORTION 107

No SURVEY RECORDS DEPOSITED

MERIDIAN
HG 94MAP REF
7963-44SCALE
1:3000FILE REF
OTENDORSED
18
9/12/92REGISTERING DIST
NORTHERN

REGISTERED PLAN 852270

No.

Council of the _____ of _____ certifies
that all the requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this Plan of Subdivision

Dated this _____ day of _____ 19____
Mayor or
Chairman
Town or
Shire Clerk

I/We **RICHARD JOHN FOSTER** / **SUSAN CLAIRE FOSTER**

(Names in full)

- as Proprietor/s of this land.
 - ~~as Lessee/s of Minor's Homestead~~
- agree to this plan and dedicate the new road as shown hereon to public use.

Signature of  • Proprietor/s • ~~Lessee/s~~ 

- Rule out which is inapplicable.

Previous Title

CT Vol. N1430 - 136 Lot 107 RP749635
T662717E EXT A to Lot 109 for Water Supply purp.

This survey has been examined and may be used for land dealings.

Surveyor General

Date

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.

Lodged by

A. C. FOX & ASSOCIATES
TOWNSVILLE

PAMELA DICKINSON & ASSOCIATES

Received
Registrar of Titles

Fees Payable

Postal fee and postage

Logt. Exam. & Ass. 58.00

New Title

Enrd. on Deeds

Photo Fee 14.00

Total 72.00

Short Fees Paid

\$72.00

11 MAR 1993
10:30 AM

T662716C



4841 PLAN

File Ref. **ST**
Deposited **25/11/1992 ON**
Audited **08/12/92 ST**
Passed **08/12/92 ST**
Survey Records: File/Field Notes
Charted **/ /**
Original Grant
N 13363 (Pbr 107)

Particulars entered in Register Book
Vol. **N1430** Folio **136**

at **1153**

25 MAR 1993 
REGISTRAR OF TITLES

Rec. No. **1317919**
RECEIVED \$ **72.00**
DATE **25-11-92**

(NORTHERN DISTRICT)

REGISTERED PLAN 852270

852270

852270

18.3.93